

JOHN W. HUBER, United States Attorney (No. 7226)

BRANDEN B. MILES, Special Assistant United States Attorney (No. 9777)

SAMUEL PEAD, Assistant United States Attorney (No. 11945)

Attorneys for the United States of America

111 South Main Street, Suite 1800

Salt Lake City, Utah 84111

Telephone: (801) 524-5682

FILED
U.S. DISTRICT COURT
2020 JAN -8 PM 12:58
DISTRICT OF UTAH
BY: DEPUTY CLERK
SEALED

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF UTAH, NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ORLANDO JOHN HAYES,

Defendant.

INDICTMENT

VIOS.

21 U.S.C. § 841(a)(1) – Possession of Methamphetamine with Intent to Distribute [Count I];
21 U.S.C. § 841(a)(1) – Possession of Heroin with Intent to Distribute [Count II].

Case: 1:20-cr-00002

Assigned To : Barlow, David B.

Assign. Date : 1/8/2020

Description:

COUNT I

21 U.S.C. § 841(a)(1)

(Possession of Methamphetamine with Intent to Distribute)

On or about August 23, 2019 in the Northern Division of the District of Utah,

ORLANDO JOHN HAYES,

the defendant herein, did knowingly and intentionally possess with intent to distribute five (5) grams or more of methamphetamine, a schedule II controlled substance within

the meaning of 21 U.S.C. § 812, in violation of 21 U.S.C. § 841(a)(1), and punishable pursuant to 21 U.S.C. § 841(b)(1)(B).

NOTICE OF SENTENCING ENHANCEMENT

Pursuant to 21 U.S.C. § 851(a)(1), the Defendant may be subject to increased punishment as a result of the following prior felony conviction and subsequent sentence to a "Serious drug felony" as defined in 21 U.S.C. § 802(57) and 18 U.S.C. § 924(e)(2) to wit:

Possession of a Controlled Substance with Intent to Distribute, a 2nd degree felony; 2nd District Court-Ogden; case: 141902595. The Defendant was sentenced to the Utah State Prison on August 31, 2015 and served 637 days.

COUNT II
21 U.S.C. § 841(a)(1)
(Possession of Heroin with Intent to Distribute)

On or about August 23, 2018 in the Northern Division of the District of Utah,

ORLANDO JOHN HAYES,

the defendant herein, did knowingly and intentionally possess with intent to distribute a mixture or substance containing a detectible amount heroin, a schedule I controlled substance within the meaning of 21 U.S.C. § 812, in violation of 21 U.S.C. § 841(a)(1), and punishable pursuant to 21 U.S.C. § 841(b)(1)(C).

NOTICE OF SENTENCING ENHANCEMENT

Pursuant to 21 U.S.C. § 851(a)(1), the Defendant may be subject to increased punishment as a result of the following prior felony conviction and subsequent sentence

to a "Serious drug felony" as defined in 21 U.S.C. § 802(57) and 18 U.S.C. § 924(e)(2) to wit:

Possession of a Controlled Substance with Intent to Distribute, a 2nd degree felony; 2nd District Court-Ogden; case: 141902595. The Defendant was sentenced to the Utah State Prison on August 31, 2015 and served 637 days.

A TRUE BILL:

JS
FOREPERSON of the GRAND JURY

JOHN W. HUBER
United States Attorney

Branden B. Miles
BRANDEN B. MILES
Special Assistant United States Attorney